

STATE OF CALIFORNIA
BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
DEPARTMENT OF BUSINESS OVERSIGHT

TO: SimpleFi
530 Lytton Avenue, 2nd Floor
Palo Alto, California 94301

DESIST AND REFRAIN ORDER
(For violations of sections 22305, 22306, 22320, and 22320.5 of the Financial Code)

The Commissioner of Business Oversight (Commissioner) finds that:

1. During all relevant times commencing after April 2013, SimpleFi was licensed by the Commissioner to engage in the business of making consumer loans under the California Financing Law (Fin. Code, § 22000 et seq.). SimpleFi operated its main place of business at 530 Lytton Avenue, 2nd Floor, Palo Alto, California 94301.
2. On or before September 2013 through at least June 2015, SimpleFi overcharged administrative fees in violation of Financial Code section 22305, charged returned check fees in excess of the maximum allowed in violation of Financial Code section 22320, overcharged late fees in violation of Financial Code section 22320.5, and charged disallowed deferred, account change, and other unnamed fees in loans with a principle loan amount of less than \$5,000.00 in violation of Financial Code section 22306. In addition, SimpleFi also violated California Code of Regulations, title 10, section 1455 by charging unauthorized fees that were not disclosed in loan documents.
3. Financial Code section 22712 provides in pertinent part:

Whenever, in the opinion of the commissioner, . . . any licensee violates any provision of this division, . . . or any regulation adopted pursuant to this division, the commissioner may order that person or licensee to desist and to refrain from . . . further continuing that violation. If, within 30 days after the order is served, a written request for a hearing is filed and no hearing is held within 30 days thereafter, the order is rescinded.

Pursuant to Financial Code section 22712, SimpleFi is hereby ordered to desist and refrain

1 from further violating the California Financing Law by overcharging fees in violation of Financial
2 Code sections 22305, 22320, 22320.5 and 22306, and charging unauthorized fees that are not
3 disclosed in loan documents in violation of California Code of Regulations, title 10, section 1455.

4 This Order is necessary, in the public interest, for the protection of consumers and consistent
5 with the purposes, policies, and provisions of the California Financing Law.

6 Dated: March 16, 2018
7 Sacramento, California

8 JAN LYNN OWEN
9 Commissioner of Business Oversight

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11 By _____
12 MARY ANN SMITH
13 Deputy Commissioner
14 Enforcement
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